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**S.B. CIVIL MISC. APPEAL NO.1909/2006.**
Jairoop Ram & Ors. Vs. Smt. Mani Devi & Anr.

Date of Order :: 12th February 2007.

**HON'BLE MR. JUSTICE DINESH MAHESHWARI**

Mr. Rajesh Panwar with
Mr. S.K. Sankhla, for the appellants.

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By way of this appeal, the owners and driver of the vehicle involved in the accident seek to question the quantum of compensation awarded by the Tribunal in the sum of Rs.1,40,000/- together with interest @ 7.5% per annum to the parents of the vehicular accident victim Trilok Kumar, about 16 years in age.

Learned counsel M/s Rajesh Panwar and S.K. Sankhla appearing for the appellants have strenuously contended that the Tribunal has been in error in awarding exorbitant amount towards compensation in favour of the claimants and further in awarding excessive rate of interest and, therefore, the award impugned deserves modification. The submissions are fundamentally bereft of substance.

The Tribunal has taken notional income of the victim at Rs.15,000/- per annum and in view of the age of the parents of the victim in the range of 50 to 54 years with

application of multiplier of 12 has allowed pecuniary loss at Rs.1,20,000/- and has further allowed Rs.10,000/- towards non-pecuniary loss and Rs. 10,000/- towards funeral expenses. In the manner, the Tribunal has made the award in the sum of Rs.1,40,000/- in favour of the claimant-respondents.

The ultimate award made by the Tribunal cannot be said to be excessive or exorbitant so as to warrant interference in appeal at the instance of the owners and driver of the vehicle involved in the accident. The rate of interest at 7.5% per annum in the award made in the month of November 2005 cannot be said to be improper or unreasonable.

The appeal fails and is, therefore, dismissed summarily.

If the appellants have not deposited the amount payable under the impugned award, it shall be required of them to deposit the entire amount of award with interest within 30 days from today with the Tribunal.

**(DINESH MAHESHWARI), J.**

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